

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRELL R. SEAY,

Defendant.

CASE NO.:

JUDGE

INDICTMENT

18 U.S.C. § 2

18 U.S.C. § 924(c)(1)

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)

21 U.S.C. § 841(b)(1)(C)

21 U.S.C. § 853

FORFEITURE ALLEGATION

THE GRAND JURY CHARGES THAT:

COUNT 1

(Distribution of a Controlled Substance Resulting in Serious Bodily Injury)

On or about January 14, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally distribute a controlled substance, including a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (hereinafter "fentanyl"), a Schedule II controlled substance, the use of which resulted in serious bodily injury to C.S.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 2

(Distribution of a Controlled Substance Resulting in Serious Bodily Injury)

On or about January 14, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally distribute a controlled substance, including a mixture

and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, the use of which resulted in serious bodily injury to K.A.R.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 3

(Distribution of a Controlled Substance Resulting in Serious Bodily Injury)

On or about January 14, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally distribute a controlled substance, including a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, the use of which resulted in serious bodily injury to K.S.R.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 4

(Distribution of a Controlled Substance)

On or about January 16, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 5

(Distribution of a Controlled Substance)

On or about January 21, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 6

(Possession with the Intent to Distribute a Controlled Substance)

On or about February 21, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing 40 grams or more of a detectable amount of fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 7

(Possession with the Intent to Distribute a Controlled Substance)

On or about February 21, 2020, in the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly and intentionally possess with the intent to distribute a mixture and substance containing 500 grams or more of a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 8

(Possession of Firearm in Furtherance of Offense)

On or about February 21, 2020, within the Southern District of Ohio, the defendant, **DARRELL R. SEAY**, did knowingly possess the following firearms: (1) a Taurus 9 millimeter semi-automatic pistol (s/n TCS10371) and (2) a 1911 Variant (no serial number, but the following markings: AG SN TAC45), in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the offense charged in Count 8 of this Indictment

and incorporated herein, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 18, United States Code, Section 924(c)(1).

FORFEITURE ALLEGATION 1

Upon conviction of one or more of the offenses set forth in Counts 1 through 7 of this Indictment, the defendant, **DARRELL R. SEAY**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a), (1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation(s); and (2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation(s) including but not limited to the following:

- Approximately \$76,259.00 in United States currency;
- A Black 2012 Acura TL, VIN 19UUA8F26CA032814, with all attachments thereon;
- A Taurus 9 millimeter semi-automatic pistol, serial number TCS10371 with any attachments, magazines, and ammunition, including a magazine with approximately 7 rounds of ammunition; and
- A 1911 Variant with no serial number and the following markings: AG SN TAC45, with any attachments, magazines, and ammunition, including two .45 caliber magazines and a box of .45 caliber ammunition.

FORFEITURE ALLEGATION 2

Upon conviction of one or more of the offenses set forth in Counts 7 and 8 of this Indictment, the defendant, **DARRELL R. SEAY**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearm and ammunition involved in or used in such

violation(s), including but not limited to, any firearm and ammunition listed in Forfeiture Allegation 1.

SUBSTITUTE ASSETS

If any of the property described above, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been substantially diminished in value; or (e) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant, up to the value of the property described above.

A TRUE BILL

S/Foreperson
GRAND JURY FOREPERSON

DAVID M. DEVILLERS
UNITED STATES ATTORNEY

S/
JENNIFER K. WEINHOLD
ASSISTANT UNITED STATES ATTORNEY